CANADIAN MOVING PICTURE DIGEST

Vol. 19, No. 47 TORONTO 2, CANADA March 24th, 1928

TALK ABOUT VALUES THAT GO TO MAKE A MONEY SHOW! M-G-M HAS THE TOP OFFERINGS IN EVERY DEPARTMENT!

M-G-M STARS
the leaders of all
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WILLIAM HAINES DANE-ARTHUR
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IN ONE SEASON
BEN-HUR
THE BIG PARADE
THE ENEMY
LOVE
THE STUDENT PRINCE

M-G-M SHORTS
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M-G-M NEWS
the newsreel sensation

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a distinguished dramatic series in Technicolor

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the UFA marvels produced all over the world

THE BEST COMPLETE SHOW ON THE MARKET!

Good news travels fast in this business. Exhibitors who wisely booked M-G-M's Shorts as well as Features have found that this complete quality program is the most constructive force for good which has been introduced into the industry in years.

YOU HEAR IT EVERY DAY!

ON Film Row
THEY call it smart buying—
TO book the complete program
FROM Metro-Goldwyn-Mayer.
THE proof of it is that
MORE and more exhibitors
ARE increasing receipts
WITH an entire M-G-M quality show

METRO-GOLDWYN-M

PUBLISHED BY
CANADIAN MOVING PICTURE DIGEST COMPANY LIMITED
259 SPADINA AVENUE, TORONTO 2

Check over these comedy successes. M-G-M calls your attention to the consistently great Hal Roach comedy product:

"OUR GANG"

Yale vs. Harvard—The Old Wallop—Heebee-Jeebees—Dog Heaven—Spoof Spooking—Rainy Days—Edison, Marconi & Co.—Barnum & Ringling, Inc.—etc.

CHARLEY CHASE

Sting of Stings—Lighter That Failed—Way of All Pants—Never The Dames Shall Meet—All For Nothing—Family Group, etc.

STAN LAUREL-OLIVER HARDY

Second Hundred Years—Hats Off—Putting Pants on Phillip—Battle of the Century—Leave 'Em Laughing—The Finishing Touch, etc.

MAX DAVIDSON

What Every Iceman Knows—Call of the Cuckoo—Love 'Em and Feed 'Em—Fighting Fathers — Pass The Gravy — Dumb Daddies—Came the Dawn, etc.

PICCOLO PLAYER
VS.
SHORT SUBJECT

EXTRA! As we go to press, reports from every M-G-M branch office indicate that "40,000 Miles with Lindbergh" is the greatest sensation of picture history.

"I AM GRATEFUL TO AN M-G-M SALESMAN FOR SHOWING ME HOW TO MAKE $250 EXTRA EVERY WEEK!" *writes a Maryland exhibitor.* Instead of acts I give them HAL ROACH COMEDIES. Instead of elaborate musical presentation I give them M-G-M NEWS and other M-G-M Short Subjects."

—here's an interesting tip from a shrewd theatre owner!

M-G-M Short Subjects **ARE** of such **HIGH** quality that **EXHIBITORS** substitute **THEM** for costly acts— **TRY** it yourself!

HISTORY REPEATS! *In its first year of feature production M-G-M became The Talk of the Industry. And now M-G-M's first year of Short Subjects have established Young Blood in Junior Features. Our prophecy for the future:*
M-G-M IN SHORTS TOO THE TOP OF THE INDUSTRY!

METRO-GOLDWYN-MAYER

Canadian Moving Picture DIGEST

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RAY LEWIS
Editor and Managing Director

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"These Artists"

"LAUGH and the world laughs with you, weep and you weep alone," holds only true in its philosophy when applied to healthy and prosperous people, who have no excuse but to laugh.

The world has an infinite sympathy, a desire to extend the human touch to those who, having cause to weep, "salt the earth with their tears."

The N. V. A. drive is designed to help those who have cause to weep, who through illness, are unable to care for themselves, for, in establishing the N. V. A., Mr. E. F. Albee said, "I am my brother's keeper."

RAY LEWIS

The N. V. A. is an association which interests itself in the welfare of its members in sickness, and in time of need, which functions as an advisor and a benefactor.

It was founded by a man, who in his youth experienced the joys and trials of being "a servant of the public."

It was founded by E. F. Albee, who built up his ambition, his enterprise in that World of Amusement to which he first responded when the lure of the sawdust ring, beckoned him to his fortune.

Close to his heart is that Industry and Art of Amusement in which he has spent his youth, his manhood and now the mellower years of life And as his enterprises grew; and the Keith-Albee Vaudeville name became synonymous with the Amusement Art of the world, enlarging and expanding itself through enterprise, affiliation, merger, among which the Orpheum Circuit acquisition is a notable one, the Pathe-P.D.C. and FBO of equal importance, Mr. Albee never forgot his close affiliation with that Industry of which he became the dominant factor.

Mr. Albee never forgets that once he, too, was a performer, like those who entertain his patrons, and his ambition to build up, to succeed materially has spiritualized itself into an aspiration to serve those who are so well serving his public, to serve those Merrymakers who make the world laugh, who turn tears of sorrow to tears of merriment.

These Artists, with their happy-go-lucky dispositions, their almost naive sense of hysterical enjoyment, because they have made their public applaud their efforts.

These Artists, who are continually being called upon to go to hospitals, to entertain soldiers who have never left their invalid chairs, or beds, having served their country only too well in the last war.

These Artists, who were soldiers, too, fighting and making merry in the few hours reserved for rest and recreation from facing cannons.

These Artists, who go to orphanages, to institutions of various kinds, to reformatories, prisons, to make those less fortunate than they are, forget for a brief time their misfortune, or their illnesses.

These Artists, who make these Children of Accident, of Circumstance, feel that "I am my brother's keeper," has a lteral interpretation. These Artists, who make our "Down-and-Outers" feel that after all they are human, allied to their fellowmen; and considered worthy of humane attention, for an orphanage, a reformatory, a prison, a hospital generally contain elements of great sadness; and in the hearts and minds of their inmates there is that dire depression, which follows an isolation from good health, or good-will.

But these Artists bring to all the same degree of artistry; and their reward is to see smiles appear on hardened faces, laughter appear like a flash of sunlight illuminating a pain-tortured visage with its healing rays.

O how wondrous is this God-Given balm to little orphans, to bed-ridden little children; and to men and women who have forgotent laughter upon the wrack of sorrow, or of pain.

Our Artists of the stage and screen, generous with their gifts of art, and generous with their gifts of wealth, are ever and continuously giving.

Will you not help the N. V. A. drive for funds for these same Artists, who become the victims of the same accidents, misfortunes, as befall those thousands upon thousands to whom they give of their art freely and generously, give and have given?

The N. V. A. drive, Easter Week, April 8th to the 15th, inclusive, is a Benefit and Sick Fund Drive which will appeal to your patrons, who will be interested and glad to help such a philanthropy if it is brought to their notice.

It will take approximately $500,000 to build the New Sanatorium at Saranac Lake, N. Y.

Although the N. V. A. is conducting the drive to help raise the necessary funds for this institute, all branches of the theatrical profession will be taken care of, should admittance be requested.

One hundred guests will be accomodated. "All rooms will be single rooms, each will have a connecting bath, outside door and windows, and its individual sun, or sleeping porch."

"In addition, there will be a large sun-parlor furnished with vitaglass sides that will let through the violet rays of sunlight, a complete X-ray equipment and an experimental laboratory."

"The latest discoveries in the production of artificial light will be installed to provide for healing treatments in winter months and stormy seasons when the sun is obscured."

(Continued on Page 8)

Ray Presents

I NOTE in "Today" that my good friend, Arthur James, states, "If the News will really read the record of the Brookhart hearings it will find that "Motion Pictures Today," the one and only one publication to make open, uncompromising, unequivocal war on the Brookhart Bill, is quoted issue by issue." This in reference to the Brookhart Bill Hearings.

Now, Jim, I am not interested in the quotes only from one standpoint; and this leads me to bring to your attention that you have "not done right by our Nell."

IF YOU WILL LOOK over your Digest file, The Canadian Moving Picture Digest, you will find that the Brookhart Bill was rightfully baptized and christened therein as "Looney Legislation," editorially; and that you republished this Digest editorial in your estimable paper.

THE CANADIAN Moving Picture Digest has generally the facility of saying "yes," or "no" to an issue; and when the entire World of Amusement was shocked speechless at Variety's "In Memoriam" Number, it was The Digest alone who was neither "deaf, dumb nor blind," it was "the leetle Canadienne," who cried out over Canada, throughout the United States, across the seas. In India, across Europe. "Shame, Variety, Shame."

Where were the valiant ones then? Not one publication had the "guts" to say Ray Lewis is right.

"THE MEMORIAM" Number was a money-making proposition which was a desecration to our dead and yet not one producer-distributor or theatre-owner, not one publication had the courage to chastise "Variety" in the manner of chastisement so well known to these units of our Industry.

THE INDUSTRY sat back motionless, while "Variety" gathered in the shekels of "its ill-gotten gain;" and lest "Variety" might find cause for offence, might retaliate by "roasting" those who presumed to criticise, all maintained a "discreet silence;" and our producers applied the Balm of Advertising to keep "Variety" well-oiled, and amiably disposed.

A similar condition arose on the Brookhart Bill, not upon the part of our producers and distributors, but upon the part of the majority of our Trade publications.

How they played about with "Block and Blind Booking," with The Brookhart Bill, fearing to offend a few impulsive exhibitors who had hypnotized themselves and others into believing that the elimination of "Blind and Block Booking" would kill their greatest competition, that the engaging of the Government as a "Wet Nurse" would mean that these exhibitors would get their daily bread and milk.

IT WOULD be interesting to get all the editorials and comments published by the various publications editorially, on this question, so as to check up the attitude of our Trade Press upon so important a question. It would be interesting to follow the compromise attitude, called "straddling" which was adopted; and how very, very few of our publications said "No Brookhart Bill" without any "perhaps" or "maybe."

Since the Trade Press appear to be crowing about being mentioned, at the hearings given to "Looney Legislation;" and appear to believe that some glory is theirs because they were opposed to The Brookhart Bill, it might be well for The Canadian Moving Picture Digest to remind the Industry that Mr. C. C. Pettijohn, somewhat interested in the Brookhart Bill; and in a position to be well-informed upon matters pertaining to this Industry, who has at his disposal a library of all articles and data written and gathered in connection with this Industry, that this same astute representative of our Industry stated that "The best article written in this Industry in the last ten years was your article on 'Looney Legislation'."

I CONSIDER this a "damn fine tribute," and if I were of the male species I would out-crow all the other "crowers" who have written ably against "Looney Legislation," including those who have only begun to "crow," when "Looney Legislation" was adjudged insane by its peers.

Coming

"Wild Geese"

AS FOR ARTHUR JAMES of "Today," no one will dispute the fact that he took an uncompromising attitude upon the question of "Looney Legislation," but the truth is the truth; and all must agree that he was not the one and only one publication among our Trade Press to take this stand.

EDUCATIONAL will give a $25.00 cash prize to the winner of a lucky number.

ON ANOTHER PAGE of The Digest there is an announcement relative to this prize. Exhibitors, those directly and indirectly interested in the management of theatres, are all eligible to win this "easy money."

All that is necessary to become an entry in this prize-winning contest, is to fill in the coupon, which you will observe is numbered.

EVERY COPY of The Digest contains a different number. Our publication is thirteen hundred and fifty; and thirteen hundred and fifty numbers will be printed in The Digest of this issue.

Tear out the page of The Digest with the Educational announcement and make a note of your number printed upon the coupon. At the end of thirty days from the date of this issue, which will be on April 24th, entries will be closed.

A COMMITTEE will be selected to attend the drawing of the lucky number; and out of the numbers will be drawn one number which will entitle that exhibitor who has its duplicate to a cash prize of $25.00. There are no "strings" attached, no other provisions, your number must reach Mr. O. R. Hanson, Canadian Educational Films Limited, 277 Victoria St., not later than noon of April 24th, go to it and good luck to the winner.

While on the subject of Educational, I have often wondered why Lupino Lane, that British artist of a superlative degree, has not been starred in special features.

WE HAVE Charlie Chaplin, Harold Lloyd and Buster Keaton; and many other comedians of rare merry-making ability who have been starred in feature pictures.

LUPINO LANE is as good as the best, in fact the press herald him among the greatest; and those who have had the pleasure of seeing his work must concede that England gave us a superlatively fine comedian when she presented Lupino Lane.

(Continued on Page 8)

CAN YOU USE $25?

IF SO

Tear Out This Page---Fill in the Coupon

$25

will be paid to the Holder of a LUCKY NUMBER

This Offer is Open to Exhibitors Only.

The Lucky Number will be selected from coupons received by Noon of April 24th.

Twenty-Five Dollar Prize Contest

Name .....

Theatre .....

Town .....

Province .....

Your Number Is--

[redacted] - - 5

Return this Coupon to

O. R. HANSON, Canadian Educational Films Ltd.

277 Victoria Street - Toronto, Ont.

Ray Presents

(Continued from Page 6)

This little note is for the special attention of my friend Mr. Hammons of Educational, he is such an excellent listener when I have had occasion to converse with him, I wish he would think about this suggestion, I believe that someone is bound to get the idea, why not Educational?

"PASSION" opens at Pantages, and this theatre has honored this great Tiffany-Stahl production, produced by UFA, with Emil Jannings, Pola Negri, directed by Ernst Lubitsch, with a presentation by way of advertising which is most commendable. The program as it reads is also a banner one.

If I said I was crazy about Jannings' work and Pola Negri's work in "Passion," crazy about the quality of the production, you will understand this somewhat impetuous expression; and after you play the picture you will concede that any exhibitor would be "crazy" to pass it up.

I HAVE a letter from "Red Hot Rembush," some kind friend sent him The Digest. The letter is too lengthy to comment upon in this issue, but we will discuss it presently. Let it suffice for the present that F. J. Rembusch states "Some kind soul sent me your editorial, 'Red Hot Rembush,' which added considerable to my joys today." "Red Hot," in my fifty-third year, is not only a compliment, it's a miracle."

Later on my friend states, among many things which we will discuss with him at leisure, "we are as sitting on 'a red hot stove' and must get off in some direction, even if we fall off and on someone. The Giants are shadow boxing and the little fellow is being mashed flat. Lord send us a little David. Will you take the job?"

THANKS my "Red Hot" friend for the compliment, but lest you have forgotten your bible history may I remind you that David was circumsized, and under this protecting influence could throw stones at Giants, while I have only been vaccinated.

I also thank you for the compliment which you have given me in placing me in the file reserved for Ideals and Intelligentzia.

THE FACT that you keep shifting me from one to the other, is only reasonable, our Ideals must become workable, or of what service are they to our Industry, or to Mankind?

I also note that Senator Borah and Senator Brookhart are in the "Intelligentzia pigeon-hole," according to your classification, and I agree with you that they are estimable company.

THE ONLY WEAKNESS I have so far associated with Senator Brookhart is his "Looney Legislation" as it refers to Motion Pictures, but in the final analysis perhaps he should not be judged by this bill, he must have been told a "pretty tale"; and did what he thought was beneficial. I feel rather certain that having become aware of many things, as he undoubtedly has by now, he cannot be enthusiastic about the adoption of this bill.

Your suggestion that I get up a contract, have it signed and sealed in accordance with the nine points which you have forwarded on to me, is too great an honour for me to assume, incidentally we will discuss these nine points, which at a casual glance appear to need a great deal of reconsideration and interrogation.

I HAVE a letter from the offices of FBO which explains that the Keith-Albee-Orpheum Interests have not purchased the controlling interest in FBO; but an interest, the control of this company is still with its president, Mr. Joseph Kennedy.

DIGEST EDITORIAL

(Continued from Page 5)

An institute to heal Artists of the "White Man's Plague," the dread disease, called Tuberculosis!

For the Salvation of Man from this great enemy, the world's philanthropists have given a goodly portion of their wealth, and now out of the loins of our Industry of Amusement comes one, E. F. Albee, who together with the institution he has fathered, the N.V.A. adds their strength in succoring those amongst us, who, are among the plague's victims.

We, who have given to a world of charities generously will give even as generously to a charity which begins at home, a philanthropy whose need knocks upon our own door.

We will give to our players, who drop under this plague upon our very doorsteps.

The acrobat, the dancer, the singer, the motion picture player, today healthily and economically sound, tomorrow the victim of an accident, to which the sanatorium at Saranac becomes a physician, a haven of refuge. "I am my brother's keeper." HELP!

Ray Lewis

Coming

"Wild Geese"

W. H. Golding Broadcasts Baptist Services

W. H. Golding of the Imperial Theatre recently acted as announcer for the new Radio Station C.F.B.O., which has been established in St. John. The morning and afternoon services were broadcasted from the Central Baptist Church of which Mr. Golding is a member, officiating also on the church board of government.

Regent Makes Merry With "Leave 'Em Laughing"

Manager Ray Tubman of the Regent Theatre, Ottawa, Ontario, has had a swell assortment of short subjects in recent weeks and they have aroused excellent talk. They have included "Lady of Victories" in technicolor; the Metro-Goldwyn-Mayer comedy, "Leave 'Em Laughing," and the Canadian Government educationals and scenics.

Glebe Theatre, Ottawa Now Being Constructed

A definite start has been made on the erection of the Glebe Theatre at Bank Street and Second Avenue, Ottawa, Ontario, by P. J. Nolan who is already the owner of the Rex and Columbia Theatres in the Canadian Capital.

Mr. Nolan is looking after the construction of the theatre himself with the exception of several contracts, such as the tile and brickwork, which are being awarded to private contractors. Mr. Nolan expects to have the new house completed in September.

March 17 being the Seventeenth of March, Manager J. M. Franklin of B. F. Keith's Theatre, Ottawa, Ontario, celebrated the occasion with the presentation of an All-Irish program during the current week, the attraction being "Let 'Er Go Gallegher." The house lights turned green for the week.

TORONTO THEATRES

UPTOWN — "Sorrel and Son," with H. B. Warner, Carmel Myers and Anna Q. Nilsson — United Artists. Class A. One of the finest pictures I have seen. H. B. Warner gives a classic interpretation of Sorrell.

TIVOLI—"Legion of the Condemned," with Gary Cooper and Fay Wray — Paramount. Class A. Another masterful feature, somewhat on the order of "Wings," not so flashy from a spectacular angle by way of comparison, but with powerful scenes which rival "Wings" and perhaps surpass it in potency. The Legion is composed of a group of men who actually court death, through their eagerness to take on any mission which is extraordinarily hazardous. The scene where the first of the aviators is caught by the enemy and shot while attempting to cross the enemy's lines with a spy, is replete with dramatic values; and to see this handsome lad die is enough to make "strong men weep," if we may be permitted to borrow this expression. Another scene of even greater intensity is the scene where Fay Wray as the heroine is left upon enemy territory by Gary Cooper, our hero. The enemy forces her to signal the hero; and both are caught, court-martialed; and are about to be executed, when the "Legion" of Flying Avengers rescues them at that very thrilling eleventh hour. Here are a succession of scenes which surpass in intensity some of the biggest scenes, from a story value, those in "Wings." Throughout the picture the interest builds up; and leaves with its audience a succession of emotions, pride and admiration of a courageous manhood and womanhood sorrow for the sacrifice of any of the "Legion of the Condemned." Story by John Monk Saunders, author of "Wings," and directed by the "Wings" director William Wellman, who has given us something which will remain with us for a very long time. Both hero and heroine acquitted themselves splendidly while in the cast we have such excellent players as Francis McDonald, E. H. Calvert and Barry Norton.

SHEA'S HIPPODROME—"Ladies' Night," with Dorothy Mackaill and Jack Mulhall—First National. Class A Comedy. A hilarious comedy with an excellent cast in which evolve situations which are amusingly human and possible; and possessing these quailifications they are more amusing than ever.

LOEW'S — "The Secret Hour," with Pola Negri — Paramount. Class A. It is with extreme satisfaction that I give Pola Negri Class A rating for the best work she has done since she appeared in "Passion." The story is an excellent one; and therefor gives Pola an opportunity to act human. I saw a play a few seasons ago in New York with Pauline Lord that reminded me a great deal of this story, as I write I seem to recall it as "They Knew What They Wanted." The girl comes to marry a rich farmer; and there is a love development between her and a young man about the place, while the farmer lies with broken legs as a result of an accident while driving his bride-to-be home from the station where he went to meet her. As the play develops, the marriage takes place with the old farmer; and he is reconciled to the fact that his wife will bear a son to the lover. This picture is somewhat different in its ending in that the lover marries the girl; and the old farmer has to be satisfied to act as god-father to the coming child. The plot has been founded upon a story by Rowland V. Lee who wrote and directed the picture. It has been nobly directed and most ably written. I don't remember who wrote the play, but there is so much similarity that we conclude "great minds run in the same channel." Pola as the drudge in a restaurant dreaming of a marriage which will lift her out of this environment; and later on through all the scenes which give her such excellent opportunity for her emotional powers, gives a performance which is most estimable and takes its place with some of our finest feminine screen characterizations. All are stating this is a "come-back" for Pola, well she must be happy for it is a glorious proof that you cannot kill art if given the right setting; and exercise common sense and good judgment in its presentation. Jean Hersholt as the old farmer shared honours with the star. Kenneth Thompson as the lover gave the star splendid support.

PANTAGES — "The Shepherd of the Hills," reviewed next week.

"Fair and Muddy" is the title conferred upon the next "Our Gang" comedy, just completed by Hal Roach for the Metro-Goldwyn-Mayer program. It was directed by Charles Ohlze and filmed under the supervision of Robert McGowan.

Famous Players Canadian Corp. Issue $10,000,000

First Shareholders Meet to Sanction Recapitalization

At a special general meeting of the shareholders of the Famous Players Canadian Corporation, Thurs., March 29, approval of a $10,000,000 issue will be requested.

Changes in the capital structure are to be made, which will permit the retiring of both classes of preferred stock and bonds outstanding, splitting the common shares of $100.00 par into four shares of no par; and the authorizing of new bond issues to refund the retirement of the preferred and provide additional working capital.

First, shareholders are being asked to authorize a $10,000,000 issue of twenty-year 6½ per cent., gold debentures. It is proposed to issue presently $5,000,000 of the first mortgage bonds and the whole of the gold debentures.

Out of the proceeds of the sale of the bonds and the debentures the first preferred shares amounting to $4,200,900 and the second preferred shares of which $1,000,00 outstanding are to be retired at 105. The balance of approximately $1,000,000 will be used to augment working capital.

At the present time the company has outstanding $7,500,000 in common shares of $100 and a new issue of 600,000 shares of no par are to be created. Of this 300,000 shares will replace the old common of $100 par, four of the new to be exchanged for each one of the old. Dividends on the second preferred are in arrears approximately 50 per cent., and holders are asked to accept two shares of the new common in lieu of dividend arrears. This will necessitate the issue of 20,000 additional common shares of no par value.

When this plan is complete all of the now issued first and second preferred shares will have been redeemed all of the 6½ twenty-year first and general mortgage bonds will have been retired and the common $100 par shares will have been exchanged for no par shares in the ratio of 1 to 4. The authorized capital of the company will then consist of one class of stock. 600,000 shares of no par value of which 320,000 will have been issued. The fixed charges by way of interest will be less than the existing fixed charges and approximately $1,000,000 of capital will be made available to the company.

"Hell's Highroad" was the title of the original novel by Ernest Pascal from which "Man Made Women" was adapted. This is his first scenario since he signed a contract with the DeMille Studios.

Jaydee Williams Wins Suit Against British National Pictures Limited

"The Times," London, Gives Case Two Columns In Its Issue. Judge Pays Tribute To Jaydee

I am in receipt of a letter from our friend, Mr. J. D. Williams, from London, Eng., enclosing a clipping from The Times, which gives an interesting account of the "Williams vs. British National Pictures, Limited" action in the High Court of Justice. I am republishing this article as it is exceedingly interesting; and gives one a very concrete example of British Justice. In referring to the passage which extols the abilities of Mr. Williams, I might add that it is a very great tribute which Mr. Williams has received from His Lordship; and in further commenting upon the pictures which we received from British National Pictures, we found "Nell Gwyn" a very fine production, "Madame Pompadour" not quite so good, but quite worthy, while "Tiptoes" might be designated as "The Cat's Pajamas," even though our tendencies being pro-British may be inclined to presume that since these "Pajamas" were British-made, they were likely to be good.

—EDITOR.

TIMES ARTICLE

HIGH COURT OF JUSTICE.

KING'S BENCH DIVISION.

The British Film Industry: A Producer's Action.

WILLIAMS v. BRITISH NATIONAL PICTURES, LIMITED.

SAME v. SAME (CONSOLIDATED).

(*Before* MR. JUSTICE HORRIDGE *and a Special Jury.*)

"A settlement was reached of this action in which Mr. James Dixon Williams, film producer, of 82, Portland-place, W., claimed from the British National Pictures, Limited, of 149, Regent-street, W.1, of which he was formerly managing director, damages for alleged wrongful dismissal and for arrears of salary.

The defendants admitted their liability for part of the salary, but said that their dismissal of the plaintiff was justified because of his neglect to obey their reasonable and proper orders. The plaintiff denied that the orders were reasonable and proper.

Judgment was entered for the plaintiff on terms endorsed on counsel's briefs. All charges against him were withdrawn.

Sir Patrick Hastings, K.C., Mr. Pritt, K.C., and Sir Albion Richardson appeared for the plaintiff; Mr. Stuart Bevan, K.C., Mr. Clement Davies, K.C., and Mr. Austin Farleigh for the defendants. Mr. C. H. Duveen and Mr. H. Shanly held watching briefs for parties interested.

The plaintiff, in further cross-examination by MR. BEVAN, denied that he had stated that Mr. Schlesinger, one of the directors of the defendant company, was responsible for a disparaging report of the film *Tiptoes* which reached America. What he did suggest was that Mr. Graham, the representative in this country of Famous Players, was resonsible for the adverse report, but he did not know it as a fact.

He said that he was aware that Mr. Schlesinger was now in South Africa.

THE QUESTION OF CAPITAL.

MR. BEVAN.—At no time in the presence of the directors of the defendant company was there any undertaking given by Mr. Schlesinger or any other director to find any further capital?—There were promises, but they were careful to put nothing into writing.

At no time did Mr. Schlesinger take upon himself the responsibility of saying "I will find £150,000 capital?"—Yes, he did. It was confirmed and discussed at the board meeting on November 4, 1926, when Mr. Schlesinger said that he could not find the money.

The plaintiff said that by his agreement of September 21 he had agreed to act as managing director and to carry out the instructions of the board of directors, or the executive committee to which the powers of the board were delegated, and that he would first submit to the board or committee, and obtain approval of, all contracts entailing financial disbursements or liability before he entered into them. He had struck that clause out of the original engrossment, but it was restored and he signed it.

MR. BEVAN.—You signed it because you were getting double salary and twice as long a term of employment—Quite right; but I had discussed the clause with the board and said that it was unworkable.

HIS LORDSHIP.—What did you tell the board?—I told them that the clause as drawn was unworkable. It costs £200 an hour to "shoot" a picture, and during its production you have to make expenditures in a hurry. It might happen that you want to spend £100 or £200 on a scene, and you have to make a quick decision. You cannot keep the actors waiting while you get permission from several directors to spend the money.

The plaintiff said that he suggested to the board that they should appoint a representative whom he could get on the telephone when a quick decision had to be made, and that they agreed, and appointed Mr. Hill as the director to whom he should apply.

MR. BEVAN.—Did you appreciate that you were bound by your agreement to obey the directions of the committee?—Yes.

Yet in a statement you made to the board on November 24 you said that it was impossible to run the company under a committee of management, because the production of films required a one-man control. By the resolution of September 21 you were at all times to observe and carry out the instructions and directions of the board or the executive committee of the company which they should from time to time impose upon you. The agreement was to submit to the board of directors or to such member or members of the board to whom special powers might be delegated the powers to Mr. Hill and later to Mr. Hill, Mr. Eaton, and the plaintiff.

HIS LORDSHIP.—The plaintiff is arguing that the first arrangement was the only workable one.

MR. BEVAN.—The plaintiff's statement says that the production of films wants a one-man control. (To Mr. Williams): You meant that?—I meant that there should be one managing director.

You meant "control by the managing director, and I am the managing director?"—Subject to the resolution of September 21.

Who was the managing director?—I was.

TEMPERAMENTAL "STARS."

You further say in your statement: "When dealing with 'stars,' who are temperamental, it is essential for one man to be boss, and that the man who is boss should have the knowledge and experience how to manage 'stars' and directors." That boss is you?—Yes.

From first to last in this statement there is not a single reference to anybody having any finger in the business of the company except yourself, the boss, who was to have one-man control?—I was content to serve on any committee provided I was managing director.

Mr. Hill was originally the one-man member of the committee?—He was.

Were you willing to be controlled in your directorship of this business by Mr. Hill?—I was not prepared to give up my managing directorship.

Were you prepared to be controlled as managing director by Mr. Hill?—Certainly.

Had he qualifications to take control of this undertaking with you as managing director?—Financially, yes.

Were you willing to leave the question of the payment of artists to Mr. Hill?—Not entirely. He was not so capable as I was.

Were you willing to put yourself in the hands of Mr. Hill?—I did in September.

Were you willing, on November 24, to be bound by him not only in matters of finance but in all matters relating to the productions of the company?—So long as I was managing director.

MR. BEVAN pointed out that there was no complaint in the plaintiff's statement of breach of faith on Mr. Schlesinger's part in failing to provide £150,000.

Counsel read from the plaintiff's statement the following:—

I have come to the conclusion that I should not acquiesce in a course which will lead the company rapidly downhill without attempting to put the brake on. I believe that the company, if it adopts the proposed course, will fail, and no doubt some of the responsibility will then be allocated to me. For this reason I absolutely refuse to agree to any scheme which I am certain will lead to disaster.

MR. BEVAN (to the plaintiff).—Therefore you refused to agree to the appointment of the managing director, because Mr. Schlesinger said that he would find £300,000 to finance the company.

The plaintiff said that at the meeting of the board at which he was dismissed he absolutely refused to work on the committee unless the promises previously made by Mr. Schlesinger as to finding additional capital were fulfilled. He also refused to give up his position as managing director.

MISS DOROTHY GISH'S DEPARTURE.

In answer to further questions, Mr. Williams said that he remembered seeing Miss Dorothy Gish leave on the Aquitania in September, 1926. He was accompanied by Mr. Harrison and Mr. Farrell (directors), Mr. Wilcox (production director), and Mr. Abbe (photographer).

MR. BEVAN.—Did you, on the Aquitania, engage Mr. Abbe for eight days at £100 and expenses?—I did not.

To "snap" Miss Gish on board?—No; Mr. Abbe was engaged in April to take still photographs of the three pictures we were doing with Miss Gish.

Did you engage him for eight weeks in Paris at £40 a week?—I engaged him again in August to do some preparatory work for the production of *Madame Pompadour*.

Do you know that he brought an action against the company, alleging that you so engaged him?—I have heard of it.

And is claiming £40 a week for eight weeks in Paris and £100 for eight days on the Aquitania?—I definitely refused that. I wired to him to say that the board refused to hire him.

The plaintiff agreed that he (Mr. Williams) was claiming salary at £60 a week and £40 a week for entertaining expenses.

MR. BEVAN.—May I suggest that you did your entertaining as handsomely as you did everything else?—I did it in a proper way in keeping with my position.

MR. BEVAN, in reply to HIS LORDSHIP, agreed that the main issue was whether or not the jury took the view that what took place on November 4, 1926, amounted to a refusal by the plaintiff to obey the lawful orders of the board, or whether, as the plaintiff said, it was a refusal on his part to resign the managing directorship under conditions which the board tried to impose.

SIR PATRICK HASTINGS said that he was not quite sure what were the grounds of defence.

HIS LORDSHIP.—Mr. Bevan first suggested that *Nell Gwyn* cost too much.

MR. BEVAN.—I am not challenging amounts *qua* amounts, but the expenditure was such that the company could not stand it. Miss Gish might be worth £1,000 a week, but that is not the point. Having regard to our small capital at the start and the difficulty in obtaining fresh capital, the plaintiff was not justified in embarking on this huge expenditure. The business was conducted on a scale so enormously extravagant that it was fatal to the company.

HIS LORDSHIP.—You limit your objection to expenditure which you say was unreasonable having regard to the financial position and opportunities of the defendant company?

MR. BEVAN agreed. He admitted that the defendants originally said that there was a great waste in expenditure, but said that that had gone. The only complaint they now made against the plaintiff was that his expenditure was lavish beyond the capacity of the company.

HIS LORDSHIP (to Sir Patrick Hastings).—You may have to call witnesses to say that the expenditure was absolutely necessary.

MR. BEVAN.—The company went into voluntary liquidation, there being few assets except the rights in these three films, to which the liquidators did not attach much importance. The whole of the asests were sold to the new company.

HIS LORDSHIP.—That is called liquidation with a view to reconstruction?

MR. BEVAN.—No. This company has gone. It has been sold.

(Continued on Page 11)

Coming

"Wild Geese"

Jaydee Williams Wins Suit

(Continued from Page 10)

In re-examination by SIR PATRICK HASTINGS, the plaintiffs said that a resolution was adopted at one meeting of the board to ask the Prince of Wales to perform the opening ceremony at the new Elstree studios.

HIS LORDSHIP.—He did not do it, did he?

The plaintiff.—They were not opened when I was there.

SIR PATRICK HASTINGS.—The luncheon to Miss Gish at the Savoy Hotel cost £314 18s. 6d. Who paid for it?—It was paid by the Famous Players Company of America. They admitted that item as part of "negative" costs—the cost of the production of the film.

Mr. Cecil A. H. Harrison, of Uckfield, Sussex, said that he had been a director of the defendant company from its inception. He and his friends had put over £40,000 into the two issues of capital. To the first issue they had subscribed about £26,000. He was fully aware, as a director, of the work that the plaintiff was doing down to the time he left the company. Until Mr. Schlesinger and Mr. Hill appeared on the scene he heard no complaints against Mr. Williams. Mr. Schlesinger told him (the witness) that he had been unable to obtain the necessary finance owing to Mr. Williams being managing director.

At that stage of the proceedings a consultation took place between the parties.

THE ACTION SETTLED.

SIR PATRICK HASTINGS afterwards announced that the jury would not be troubled further with the case. It had been apparent to every one, he said, that if the litigation had proceeded it would have meant a long trial, and have resulted necessarily in a waste to the shareholders of the assets of the company. Mr. Williams had been actuated, as he (counsel) was sure Mr. Bevan had been, with a desire to prevent that waste. Mr. Williams was to be paid a sum which it was not necessary to mention, but which was satisfactory to him, and he was to be paid his costs. Mr. Bevan, he understood, was ready to do that which was really far more necessary and important to the plaintiff than anything else, and that was to explain that he and the defendants were now satisfied that there was no possible ground of complaint against Mr. Williams at all. So far as the plaintiff was concerned, he left that Court, in the view of the defendants, absolutely clear of any aspersions which might have been suggested or thought to be suggested or imagined.

MR. BEVAN said that the parties had exercised a very wise and sound discretion in settling their differences on the terms which had been indicated. He desired to say, without any reservation at all, that every charge which the defendants might have made against Mr. Williams in the past was withdrawn, and that any charges which he (counsel) might seem to have made against him during his somewhat long cross-examination were also withdrawn. It was never his intention or the intention of those instructing him to suggest that the plaintiff was anything but a highly accomplished and competent producer and organizer of pictures. The only difference between the parties arose from the fact that the company had not sufficient capital to give full scope to those undoubted abilities which Mr. Williams possessed.

HIS LORDSHIP.—I should like to join in the hope which has been so eloquently expressed by Mr. Bevan that the result of this litigation may be impaired in the future in the exercise of those abilities which during the course of the trial it has become certain that he possesses.

Judgment was entered for the plaintiff on the terms endorsed on counsel's briefs."

Solicitors. — Messrs. Guedalla, Jacobson, and Spyer; Messrs. Charles Humphries and Co.

Coming

"Wild Geese"

WANTED

At once, Theatre to rent, in good live town, population not less than 3,000. Reply BOX 41, WESTON, ONTARIO.

Censorship Revenue $27,837.60 Expenses Total Over Half

The Province of Ontario derived a revenue of $37,837.60 through the censorship of moving pictures with the reel fee during the fiscal year of 1927, according to the official financial statement of the Government at Toronto, while the expenses of the Ontario Board of Moving Picture Censors for the year were $20,495.93. A balance of over $17,000 was therefore recorded for the Province.

The chief item in the censors' expenditures was $15,376.46 for salaries of permanent employes. J. C. Boylen, acting chairman of the Ontario Board, received $3,200 in salary including a special allowance of $500 for his executive work. Other members were paid as follows: J. M. O'Brien, $2,500; L. Phillips, $2,500; V. Hammill, $2,083.33; M. Elliott, moving picture operator, $2,000; P. Ristow, operator, $1,872.30, and M. Canning, clerk-stenographer, $1,200.

Remuneration was also paid to several others, under the heading of contingencies, as follows: J. B. Hardwicke, as a censor, $1,390.25, and Mrs. Eva Moran, who officiated as a censor for a part of the year, $1,194.22.

Various other items included fees to oculists for the periodic examination of the eyes of the censors; mechanical equipment, office goods and printing.

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Besides the many familiar Fulco products such as Exit Boxes, Roll Ticket Holders, Carbon Savers, Lugs, Cement, Reels, Rewinders, etc., we now offer a most comprehensive line of self contained Booth Cabinets made by Fulco. These Cabinets consist of a steel work table, with or without steel drawers, fitted with hand or power driven enclosed rewinder, asbestos walled film storage cases with individual reel compartments, spare reel shelf, and approved waste can. There are several designs and combinations to choose from. These outfits are not a fad, they are positive assurance of safety against fire, and are a convenience and safeguard that ought to be in use in every projection room.

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A well-known camera lens manufacturer has a slogan, "It's All In The Lens." If that is true of cameras, it is ten times true applied to the projector. The Ross Lens is made in England, of magnificent optical and mechanical construction. It has a very large working aperture F-2.4, permitting maximum transmission of light, and the formula used demands the rear combination very close to the aperture, the result being very bright, snappy, sharp images full of detail and contrast. The superiority of the Ross Lens over several other common makes of lenses in actual test is truly amazing.

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Keith's Philadelphia and Washington

Public Demand Entertainment to Suit Its Convenience—Pictures and Vaudeville

Following the trend of public demand, Keith's Philadelphia and Washington theatres, which for many years have been presenting two shows a day, will inaugurate a change of policy on Monday next and give continuous performances of a de luxe composite bill of super vaudeville and a feature picture from twelve noon to 11 p.m.

That the idea of only matinee and night performances, that is two performances a day, is a policy that the present generation does not prefer since they wish to choose their own hour of entertainment, is the direct cause of the change of policy at these two important Keith theatres.

Following the successful change of policy at B. F. Keith's Palace, Cleveland, the B. F. Albee Theatre, Brooklyn, and the Keith-Albee Hippodrome in New York, to the continuous schedule, the further experiment was made in Baltimore this season with such fine results that both Washington and Philadelphia will now adopt the same policy. These three theatres, known as the "P. B. & W." group, will be booked and operated with the same policy and with the same big show playing consecutively one week in each city.

The Washington openings hereafter will be on Monday instead of Sunday.

It is strange that business in various branches seem to work in cycles. For instance, back in 1883 B. F. Keith, founder of the great Keith-Albee Circuit of today, started his first theatre in Boston with a continuous policy and that policy continued for many years. In those days, however, there were no photoplays to round out a performance and there either had to be a great number of vaudeville acts or the same acts had to go on many times a day. Later the two-a-day policy was inaugurated and had its fling for many years. Now there is a reversion to the type of entertainment that Mr. Keith first introduced some forty years ago.

The custom of feeling at liberty to drop into a theatre at any time of the day has become so thoroughly popular with amusement seekers in the leading American cities that the patrons have responded quickly in the Keith theatres to this modern type of entertainment. Shoppers who have a few hours to spare do not care to wait for an appointed hour for a performance to commence.

Big Pictures Going Over At Regent Ottawa

The Regent Theatre, Ottawa, is having a great run of business with big pictures under the direction of Manager Ray Tubman. After two weeks of "The Gaucho," starring Douglas Fairbanks, the next attraction was "The Big Parade" at regular prices, which was followed by "The Student Prince." Manager Tubman then had "The Circus" booked for two weeks.

Lawrence Wilson, M.P. Advocates National Theatre

Lawrence A. Wilson, Liberal member in the Canadian House of Commons for Vaudeville-Soulanges, has come out with the proposal for the establishment of a National Theatre for Canada which would be erected at Ottawa. His plans call for the equipping of an imposing amusement palace by the Government for the presentation of all types of entertainment and art including moving pictures. His suggestion is that Canadian-made films would be screened in the National Theatre.

Mary Pickford's Mother Called by Death

Was a Victim of Cancer

The Industry was shocked and grieved to hear of the death of Mrs. Charlotte Smith, mother of Mary Pickford, who passed away at her home at Beverley Hills, Calif., Thursday, March 22nd.

With her at the time of her demise were Mary, Lottie and Jack Pickford, her three children, well-known screen stars.

Mrs. Smith was born in Toronto, Sept. 3rd, 1872, and married John Smith at the age of nineteen.

All of her children were born in Toronto; and the old house at 211 University Avenue is still pointed out as the home of perhaps the screen's most feminine star, Mary Pickford.

Mrs. Smith, herself an actress, abandoned her career to direct the careers of her children. Their success is ample proof of her ability. Perhaps her greatest service to her children in a material way, was her astonishing talent in the control and direction of their financial interests.

Metro-Goldwyn-Mayer's two latest big "finds" in the way of new talent are James Murray and Ann Page. Murray was found waiting in front of the studio by King Vidor and given the lead in "The Crowd." Ann Page was discovered by Sam Wood and given the lead in William Haines' starring picture "He Learned About Women." Both players played leads in their first productions on the lot and both are declared to have an excellent chance of some day achieving stardom.

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Round About the Studios

Pola Negri, co-starring with Emil Jannings in "Passion," a Tiffany-Stahl production released through Educational.

Leatrice Joy is surrounded with an excellent cast in "Man Made Women," now in production at the De Mille Studios for Pathe. H. B. Warner, John Boles, Seena Owen, Jeanette Loff, Cissy Fitzgerald, Wade Boteler, Jed Prouty, Marcella Corday and Sidney Bracey have important roles.

A small menagarie is used in one scene of the new Adolphe Menjou starring picture, "Super of the Gaiety," now in production by Paramount. The animal properties include three elephants and two tigers. Menjou, clad in the uniform of an Indian Maharajah, rides one of the elephants. The picture is being made under the dierction of Hobart Henley.

Lloyd Hamilton appears as a football-playing chauffeur in "Blazing Away," his latest comedy for Educational. The ponderous comedy star is pictured as captain of a grid eleven made up of taxicab drivers. The battle of the taxi drivers on the gridiron constitutes the highlights of the film. Norman Taurog directed.

Loet C. Barnstijn, representative of FBO in Holland, with headquarters at The Hague, is visiting New York for a few weeks.

Coming

"Wild Geese"

Bess Meredith, well-known scenarist, has joined the Metro-Goldwyn-Mayer force and will prepare the continuity for Fred Niblo's next feature production, a story of the sea, not yet titled. Niblo, whose last Metro-Goldwyn-Mayer picture was "The Enemy," recently returned to the studio from a vacation trip and has begun preparations for the new film.

"Tillie's Punctured Romance," the big new Paramount-Christie comedy under the old name, was selected for the Photoplay Guide of Popular Entertainment Films for listing in the March issue of the National Board of Review Magazine.

Dorothy Devore again dons men's clothes for the major portion of the action in "Circus Blues," her new starring vehicle for Educational. The star comedienne puts on male garb when her jealous sisters lock her up in her room and take her clothing away from her to prevent her making love to their sweethearts.

Richard Walling is the juvenile leading man in Pathe's "Walking Back." Sue Carol has the juvenile lead.

Among the five serials which Universal will release next year is one based on a G. A. Henty story. It will be called "The Final Reckoning" and will star Newton House, Universal's boy action star.

An article in the Saturday Evening Post by Fontaine Fox, creator of the world popular Mickey (himself) McGuire comic drawings, which Larry Darmour is bringing to the screen for FBO, explains that McGuire's gang and the Little Scorpions are based on real kids of Mr. Fox's boyhood days in Louisville, Kentucky.

"I knew McGuire," writes the humorist in the Saturday Evening Post, "that is I knew his prototype, a tough kid who was in my class in grammar school and sometimes honored me by twisting my arm. If I have exaggerated him in creating McGuire, it is only because I have done what always is done by story-tellers when they undertake to relate all the glories of an army that has marched into history. I have credited all the feats of prowess of the army to one hero. The saga of McGuire is really the history of his gang, and Mickey is credited in it with feats of bullying that were performed by all the other members."

"Honeymoon Flats," the comedy drama made by Universal from Earl Derr Biggers' popular Saturday Evening Post story, has just arrived in the east. It was directed by Millard Webb with George Lewis and Dorothy Gulliver, the popular pair of "The Collegians" series, in the featured roles.

The cast includes Kathlyn Williams, Ward Crane, Bryant Washburn, Phillips Smalley, Jane Winton, Patricia Caron and Eddie Phillips.

Lloyd Hamilton is starred in "Between Jobs." The ponderous comedian is seen as an idle young man whose enjoyment of the spring-like atmosphere is interrupted by a policeman's command that he get to work. Hamilton's efforts to make good as a carpenter and builder provide the most amusing highlights of this picture.

"A Dog of the Regiment" stars Rin-Tin-Tin for Warner Bros.

William K. Howard has completed camera work on his latest Pathe picture, "His Country," which offers Rudolph Schildkraut and Louise Dresser.

"Children of the Sun" is the title chosen for the story which Alexander Marky will direct for Universal on a South Sea Island during the coming months. Marky, a scientific explorer, a professional cameraman and an author, left Universal City recently at the head of a mysterious expedition. The objective of the company is known only to Marky. In his story he calls the island Tarangi.

Dorothy Sebastian, Metro-Goldwyn-Mayer player, enjoyed a vacation in the Rockies.

Joan Crawford, star of Metro-Goldwyn-Mayer's "Rose-Marie."

Georgie Jessel's latest for Warner Bros. is "Ginsberg the Great."

Virginia Lee Corbin, spicey First National player.

George O'Brien came to the top in Fox's "East Side, West Side."

Colleen Moore "all dolled up." Her latest for First National is "Lilac Time."

Johnny Mack Brown has the male lead in Marion Davies' "The Fair Co-Ed," released through Metro-Goldwyn-Mayer.

"Silk Legs" is Madge Bellamy's latest for Fox.

Beautiful Marceline Day playing opposite Ramon Novarro in Metro-Golwyn-Mayer's "Romance."

Dolores Costello in Warner Bros.' "College Widow."